

GENERAL AND SPECIAL LAWS

THE STATE OF TEXAS

Passed By The
SECOND CALLED SESSION
of the
SIXTY-FIFTH LEGISLATURE

Convened at the
City of Austin, July 10, 1978
and
Adjourned August 8, 1978

Published under the Authority of The State of Texas



STEVEN C. OAKSSecretary of State

Proclamation
by the
Governor of the State of Texas

41-1678

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Under the provisions of Article IV, Section 8 of the Constitution of the State of Texas, I, Dolph Briscoe, Governor of the State of Texas, do hereby call a Special Session of the 65th Legislature to be convened in the City of Austin, commencing at 12 noon, on the 10th day of July, 1978, to consider legislation and proposed constitutional amendments which return a portion of the current and projected, anticipated state surplus as certified by the Comptroller of Public Accounts to the people of Texas and to impose limitations upon spending and taxation by:

1. Repealing the general sales and use tax on residential utilities as levied by the State of Texas and allowing municipalities to remove the sales tax on residential utilities by a majority vote of the governing body of such municipality.

2. Increasing the personal exemption for the Class A beneficiaries, as defined in Article 14.02, Taxation-General, of the estate of each decedent in the gross amount of \$200,000.

3. Proposing a constitutional amendment which would require an affirmative vote of two-thirds of the membership of each House of the Texas Legislature present and voting for the approval of a bill adopting a new or additional state tax or increasing the rate of an existing tax.

4. Proposing a constitutional amendment which creates a limitation upon any increases, from year to year, of any tax which may be or is levied by political subdivisions of the State of Texas and creating a limitation upon the amount of increases of expenditures, from year to year, which may be authorized by political subdivisions of the State of Texas.

5. Proposing a constitutional amendment which requires the Legislature to provide by law for ad valorem taxation of agricultural property and timber land based upon evaluation derived from the productive value of that property; and providing for state payments to local school districts financed under the Foundation School Program to replace actual losses in tax revenue as a result of this provision.

6. Proposing a constitutional amendment exempting not to exceed \$10,000 of the value of residential homesteads from ad valorem taxes assessed, levied

PROCLAMATION

and collected by school districts eligible to participate in the Foundation School Program and exempting an additional \$10,000 of the value of residential homesteads of persons 65 years of age or older from taxes assessed, levied and collected by school districts eligible to participate in the Foundation School Program; and providing for state payments to such school districts to replace the reductions in tax revenue resulting from the exemptions.

7. Proposing a constitutional amendment which would require the Legislature to establish by general law a method whereby the electorate may mandate the reduction or increase of taxes levied by the State of Texas.

8. To consider and act on such other subjects and questions as the Governor may submit from time to time.

The Secretary of State will take notice of this action and will notify the members of the Legislature.

IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused the Seal of State to be affixed hereto at Austin, this the 8th day of July, A.D., 1978.

Seal

DOLPH BRISCOE
Governor of Texas

ATTEST:

STEVEN C. OAKS

Secretary of State

JOURNAL
OF THE
House of Representatives
OF THE
SECOND CALLED SESSION
OF THE
Sixty-fifth Legislature

OF THE
STATE OF TEXAS
BEGUN AND HELD AT
THE CITY OF AUSTIN

JULY 10, 1978



**PROCLAMATION BY THE GOVERNOR
OF THE STATE OF TEXAS**

The Speaker laid before the House and had read the following Proclamation by the Governor:

To All To Whom These Presents Shall Come:

Under the provisions of Article IV, Section 8 of the Constitution of the State of Texas, I, Dolph Briscoe, Governor of the State of Texas, do hereby submit the following for consideration by the Second Called Session of the 65th Legislature, now convened, in addition to such items as have heretofore been submitted, to wit:

To enact legislation adopting a property tax code with provision for taxation of property based upon a countywide single appraisal of such property, the adoption and enforcement of uniform appraisal standards statewide, periodic uniform reappraisal of all taxable property, placing a limitation on increases on local property taxes, and taxpayer remedies;

To propose a constitutional amendment to permit producers of agricultural and marine commodities to form associations and vote to impose refundable assessments on sale of those commodities by producers;

To consider and act on such other subjects and questions as the Governor may submit from time to time.

The Secretary of State will take notice of this action and will notify the members of the legislature.

(SEAL)

In Testimony Whereof, I have hereunto signed my name officially and caused the Seal of State to be affixed hereto at Austin, this the 19th day of July, A.D., 1978.

Dolph Briscoe
Governor of Texas

Attest:

Steven C. Oaks
Secretary of State

**PROCLAMATION BY THE GOVERNOR
OF THE STATE OF TEXAS**

The Speaker laid before the House and had read the following Proclamation by the Governor:

To All To Whom These Presents Shall Come:

Under the provisions of Article IV, Section 8 of the Constitution of the State of Texas, I, Dolph Briscoe, Governor of the State of Texas, do hereby submit the following for consideration by the Second Called Session of the 65th Legislature, now convened, in addition to such items as have heretofore been submitted, to wit:

The enactment of legislation transferring certain units and facilities of the Texas Youth Council to the Texas Department of Corrections and the enactment of legislation transferring certain funds appropriated to the Texas Youth Council in the General Appropriations Bill adopted in the Regular Session of the 65th Legislature from the Texas Youth Council to the Texas Department of Corrections;

The enactment of legislation amending Sections 4 and 5, Chapter 467, Acts of the 54th Legislature, Regular Session, 1955, as amended, relating to contributions by the State of Texas and its agencies from the Social Security Trust Fund in order to obtain federal old age and survivor's insurance coverage for state employees;

The consideration and action upon other subjects and questions as the Governor may submit from time to time.

The Secretary of State shall take notice of this action and will notify the members of the legislature.

(SEAL)

In Testimony Whereof, I have hereunto signed my name officially and caused the Seal of State to be affixed hereto at Austin, this the 20th day of July, A.D., 1978.

Dolph Briscoe
Governor of Texas

Attest:

Steven C. Oaks
Secretary of State

**PROCLAMATION BY THE GOVERNOR
OF THE STATE OF TEXAS**

The Speaker laid before the House and had read the following Proclamation by the Governor:

To All To Whom These Presents Shall Come:

Under the provisions of Article IV, Section 8 of the Constitution of the State of Texas, I, Dolph Briscoe, Governor of the State of Texas, do hereby submit the following for consideration by the Second Called Session of the 65th Legislature, now convened, in addition to such items as have heretofore been submitted, to wit:

To consider legislation requiring common school districts and rural high school districts which do not support county school administration from ad valorem tax revenue as provided in Chapter 18 of the Texas Education Code to be reclassified as independent school districts;

To consider legislation validating the incorporation, establishment of boundaries, and other governmental acts and proceedings of municipalities originally incorporated under Chapter 11, Title 28, V.A.T.S., which incorporation subsequently became the subject of a district court lawsuit relating to the violation of another municipality's territory or extraterritorial jurisdiction, and which lawsuit resulted in an agreed judgment upholding the incorporation and boundaries as incorporated;

To consider legislation relating to the compensation and expenses of the court reporter of the 31st Judicial District;

To consider and act on such other subjects and questions as the Governor may submit from time to time.

The Secretary of State will take notice of this action and will notify the members of the legislature.

(SEAL)

In Testimony Whereof, I have heretofore signed my name officially and caused the Seal of State to be affixed hereto at Austin, this 3rd day of August, A.D., 1978.

Dolph Briscoe
Governor of Texas

Attest:

Steven C. Oaks
Secretary of State

**PROCLAMATION BY THE
GOVERNOR OF THE STATE OF TEXAS**

The Speaker laid before the House and had read the following Proclamation by the Governor:

To All To Whom These Presents Shall Come:

Under the provisions of Article IV, Section 8 of the Constitution of the State of Texas, I, Dolph Briscoe, Governor of the State of Texas, do hereby submit the following for consideration by the Second Called Session of the 65th Legislature, now convened, in addition to such items as have heretofore been submitted, to wit:

The consideration of legislation which permits the Board of Regents of West Texas State University to levy a fixed student fee not to exceed \$15 per student for each semester of the long session and not to exceed \$7.50 per student for each term of the summer session of such university;

To consider an act on such other subjects and questions as the Governor may submit from time to time.

The Secretary of State will take notice of this action and will notify the members of the legislature.

(SEAL)

In Testimony Whereof, I have heretofore signed my name officially and caused the Seal of State to be affixed hereto at Austin, this 4th day of August, A.D., 1978.

Dolph Briscoe
Governor of Texas

Attest:

Steven C. Oaks
Secretary of State

**PROCLAMATION BY THE GOVERNOR
OF THE STATE OF TEXAS**

The Speaker laid before the House and had read the following Proclamation by the Governor:

To All To Whom These Presents Shall Come:

Under the provisions of Article IV, Section 8 of the Constitution of the State of Texas, I, Dolph Briscoe, Governor of the State of Texas, do hereby submit the following for consideration by the Second Called Session of the 65th Legislature, now convened, in addition to such items as have heretofore been submitted, to wit:

To consider legislation authorizing the Texas Department of Corrections to sell certain real property known as the Blue Ridge Farm and to reinvest the proceeds of that sale in the purchase of additional real property and facilities for use by the Texas Department of Corrections;

To consider and act on such other subjects and questions as the Governor may submit from time to time.

The Secretary of State will take notice of this action and will notify the members of the legislature.

Under the provisions of Article IV, Section 8 of the Constitution of the State of Texas, I, Dolph Briscoe, Governor of the State of Texas, do hereby submit the following for consideration by the Second Called Session of the 65th Legislature, now convened, in addition to such items as have heretofore been submitted, to wit:

The consideration of legislation exempting from the state sales, excise and use tax certain energy saving materials and equipment;

The consideration and action upon such other subjects and questions as the Governor may submit from time to time.

The Secretary of State will take notice of this action and will notify the members of the legislature.

(SEAL)

In Testimony Whereof I have heretofore signed my name officially and caused the Seal of State to be affixed hereto at Austin, this 4th day of August, A.D., 1978.

Dolph Briscoe
Governor of Texas

ATTEST:

Steven C. Oaks
Secretary of State

**PROCLAMATION BY THE GOVERNOR
OF THE STATE OF TEXAS**

The Speaker laid before the House and had read the following Proclamation by the Governor:

To All To Whom These Presents Shall Come:

Under the provisions of Article IV, Section 8 of the Constitution of the State of Texas, I, Dolph Briscoe, Governor of the State of Texas, do hereby submit the following for consideration by the Second Called Session of the 65th Legislature, now convened, in addition to such items as have heretofore been submitted, to wit:

The submission of a proposed constitutional amendment relating to tax increment financing;

The consideration and action upon such other subjects and questions as the Governor may submit from time to time.

The Secretary of State will take notice of this action and will notify the members of the legislature.

(SEAL)

In Testimony Whereof, I have heretofore signed my name officially and caused the Seal of State to be affixed hereto at Austin, this 7th day of August, A.D., 1978.

Dolph Briscoe
Governor of Texas

Attest:

Steven C. Oaks
Secretary of State